

## Interview Summary

Application No.  
**09/388,726**

Applicant(s)  
**An et al.**

Examiner  
**Brian Pellegrino**

Art Unit  
**3738**



All participants (applicant, applicant's representative, PTO personnel):

(1) Brian Pellegrino

(3) \_\_\_\_\_

(2) Konstantin Caploon

(4) \_\_\_\_\_

Date of Interview May 13, 2003

Type: a) ☒ Telephonic      b) ☐ Video Conference  
c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes      e) ☒ No. If yes, brief description:

Claim(s) discussed: 19, 20, 25, and 41

Identification of prior art discussed:  
US 5429447, US 5431658, WO 98/46173

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Caploon agreed to amend the claims in view of the interview of 5/9/03 discussing the prior art which read on some of the claims. The proposed limitation for claim 41, reciting that "the inner and outer members of the corpectomy device are configured to engage the spinal vertebrae" was agreed to define over US 5429447. It was also found that adding to claim 41, the limitation that "the inner and outer members are controllably moved in an axial direction when in the unlocked position" in addition to the recitation mentioned above was agreed to define over US 5431658. Applicant's also agreed to amend claim 25 to further define the clip structure to define over WO 98/46173. Applicant's also agreed to amend claims 19 and 20 to correct the ambiguity in the claims to overcome the 112 2nd paragraph rejections by using more descriptive terms to define what surfaces are being referred to.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required